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Attorneys for Plaintiff and the Proposed Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROBERT HODSDON, on behalf of himself and
all others similarly situated,

Case No. 3:15-cv-04450-RS

CLASS ACTION

**JOINT STIPULATION TO
CONTINUE CASE MANAGEMENT
CONFERENCE TO COINCIDE
WITH MOTION TO DISMISS
HEARING DATE; [PROPOSED]
ORDER**

Judge: Hon. Richard Seeborg
Ctrm.: 3

MARS, INC., a Delaware corporation, and
MARS CHOCOLATE NORTH AMERICA
LLC, a Delaware company,

Defendants.

MARS, INC., a Delaware corporation, and
MARS CHOCOLATE NORTH AMERICA
LLC, a Delaware company,

Defendants.

**JOINT STIPULATION;
[PROPOSED] ORDER
010545-12 825559 V1**

Pursuant to Local Rules 6-1(b), 6-2(a), and 7-12, plaintiff Robert Hodsdon (“Plaintiff”) and defendants Mars, Inc. and Mars Chocolate North America, LLC (“Mars”) hereby stipulate to continue the case management conference date from January 7, 2016, at 10:00 a.m., to January 28, 2016, at 10:00 a.m., in order to coincide with the hearing date on Mars’s motion pursuant to Federal Rule of Civil Procedure 12.

WHEREAS, on October 21, 2015, the parties entered into a scheduling stipulation pursuant to Local Rule 6-1(a) by which Mars filed its motion on November 20, 2015, Plaintiff must oppose by December 14, 2015, and Mars must respond by December 23, 2015;

WHEREAS, counsel for the parties conferred regarding a mutually convenient date for the hearing on Mars’s motion;

WHEREAS, Mars noticed the hearing on its motion for January 28, 2016;

WHEREAS, in the interests of efficiency and conserving the resources of the parties and the Court, the parties agree that the initial case management conference scheduled for January 7, 2016, shall be continued to coincide with the hearing on Mars’s motion;

WHEREAS, the new date for the case management conference is not sought for the purposes of unnecessary delay; and

WHEREAS, the parties have also agreed on a schedule to complete their Rule 26 obligations;

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE:

1. The hearing on any motion filed by Mars pursuant to Federal Rule of Civil Procedure 12 shall be on January 28, 2016, at 1:30 p.m., or on such other date ordered by the Court;
2. The Case Management Conference shall take place on January 28, 2016 at 1:30 p.m., or on such other date ordered by the Court for the hearing on Mars’s motion.
3. The last day to (i) meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan, (ii) file ADR Certificate and (iii) file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall be December 18, 2015 (previously December 17, 2015).
4. The last day to file the Rule 26(f) report, complete initial disclosures or state objection in Rule 26(f) report, and file the Case Management Statement shall be January 15, 2016

1 (previously December 31, 2015).

2 Respectfully submitted,

3 DATED: November 23, 2015

HAGENS BERMAN SOBOL SHAPIRO LLP

4 By: /s/ Elaine T. Byszewski

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10 By: /s/ Stephen D. Raber

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15 *Attorneys for Defendants Mars, Inc. and Mars
Chocolate North America, LLC*

16 **SIGNATURE ATTESTATION**

17 I hereby attest that I have obtained the consent of Stephen D. Raber, counsel for Defendants,
18 for the filing of this stipulation.

19 By: /s/ Elaine T. Byszewski

20 Elaine T. Byszewski

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: 11/23/15



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28 The Honorable Richard Seeborg
United States District Judge